

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWA Docket No. 10-0020
)
DIANA MOYER L. RICKY ZENGER, a)
Wisconsin general partnership; DIANA)
MOYER, an individual; and RICKY) CONSENT DECISION AND
ZENGER, an individual,) ORDER AS TO RESPONDENTS
) DIANA MOYER AND "DIANA
Respondents) MOYER L. RICKY ZENGER"

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.) (the "Act"), by an order to show cause why Animal Welfare Act license number 35-C-0282 should not be terminated, filed by complainant on October 27, 2009. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138). The complainant and respondents Diana Moyer, an individual, and Diana Moyer L. Ricky Zenger, a Wisconsin general partnership, agree to the findings of fact and conclusions of law set forth herein, and the petitioners specifically admit that the Secretary has jurisdiction in this matter, waive further procedure, and consent and agree to the entry of this decision, for the purpose of settling this proceeding. The complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Diana Moyer L. Ricky Zenger ("Moyer & Zenger") is a general partnership doing business variously as "Ricky's White Tailes," "Critter Cravers exsodios," "Critter Cravers Exotics," "Diana & Larry Moyer," "Open Peting Place," and "Diana Moyer, Larry Moyer, Rick Zenger." Respondent Moyer & Zenger's mailing address is N4920 Moriah Road, Columbus, Wisconsin 53925. The partners of respondent Moyer & Zenger are Diana Moyer and Ricky Zenger. At all times mentioned herein, said respondent operated as an exhibitor, as that term is used in the

Act and the Regulations, and beginning July 2, 2008, held license number 35-C-0282.

2. Respondent Diana Moyer is an individual whose mailing address is 132 Vermont Street, Beaver Dam, Wisconsin 53916-1808. Said respondent has represented that she is a partner in respondent Moyer & Zenger, and, since approximately 2004, has operated as a dealer and/or exhibitor, as those terms are defined in the Act and the Regulations.

Conclusions of Law

There is no cause why Animal Welfare Act license 35-C-0282 should not be terminated.

Order

Animal Welfare Act license 35-C-0282 is hereby terminated, effective July 4, 2010.

The provisions of this order shall become final and effective on the first day after service on respondents. Copies of this decision shall be served upon the parties.

DIANA MOYER L. RICKY ZENGER,
A Wisconsin general partnership
Respondent

[REDACTED]
Diana Moyer
Respondent

By [REDACTED] [REDACTED]
Diana Moyer
Partner

[REDACTED]
Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C. 2011 8sc
this 4 day of JAN, 2010

[REDACTED]
For Peter M. Davenport
Chief Administrative Law Judge